

Several orations
in
Sallust's writings.

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Dr. phil. JULIUS SACHS

of New-York.

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It is generally conceded that the greatest care has been bestowed by the ancient historians upon the elaboration of the orations which they have occasion to introduce, and that these consequently contribute in vast measure to elucidate the bearing and tendency of their entire productions. Numerous controversial points that have engrossed at any stated period the attention of a community, are not introduced to the reader in the form of narrative,¹⁾ but a far more vivid impression is produced by attributing the various points at issue and their discussion to certain prominent representatives of the opposing factions; it is thus that the orations, in which they hold forth, present in clearly-defined terms the most favorable aspect of the opinions entertained by each party in regard to the absorbing question of the day. The historian of antiquity enables by this procedure each intelligent reader to exercise his own judgment upon the conflicting views, and to mould from the indicated characteristics his own impressions of the period treated of, and its leading men.²⁾ In fact it is not unusual, that the representative man of a certain epoch is introduced in such manner, that his plans and designs, and even his pecu-

¹⁾ At present historians would find it insufficient, were they to record facts merely and their direct causes; they delight rather in portraying the mental processes that have affected the resolves of their actors.

²⁾ The orations in the work of Thucydides, the greatest historian of Greece, are perhaps the most consummate works of art that have been handed down to us as embodiments of the features mentioned above; compare Thucyd. I. 32, 33, 37 etc., III. 53 etc., and 61 etc.

liarities of expression and reasoning are set forth in the course of some oratorical effort, attributed to him; in such bold relief for instance Marius stands forth in the oration ascribed to him in Sallust's *Jugurtha*, chap. 85. —

The public advocate in pleading his cause before the tribunal of justice or haranguing the populace, was wont to bestow the most pleasing colors upon his side of the question, whilst he would endeavor to detract by all methods, faire or foul, from the value of his opponents argument; nor could he carry out such a design with more prospect of success than by basing his plea upon some definite train of reasoning, carefully disposed and then accurately carried out. In quite similar manner was it necessary for the historian to proceed, whenever he employed orations as the vehicle for the illustration of a certain individual's peculiarities. During the earlier stages of Grecian literature it was at the option of each orator and historian to construe his speeches, as inclination prompted him, and it is to this fact that we must ascribe that wonderful versatility of style, that we cannot but admire, and that could only arise, as long as expression and diction were free from all artificial restraint. — As early however as the fifth century before our era certain Sophists and rhetoricians, Corax and Tisias, Gorgias and various others, mentioned by Quintilian in his *Instit. Orat.* III. 1. 8, had begun to propound certain theories on rhetoric in their treatises (*τέχναι ῥητορικαί*), which seem however to have been stated rather unsatisfactorily; for Cicero, *de Inventione* II. 6 asserts that Aristotle was deserving of peculiar credit in regard to Rhetoric, because „*cujusque praecepta magna conquisita cura perspicue conscripserit, atque enodata diligenter exposuerit.*“ — Aristotle by a careful comparison of those „*τεχνῶν*“ which were already in existence with the productions of the best Greek orators developed

a philosophical theory of the art;¹⁾ almost simultaneously too the first practical system for the attainment of eloquence was devised, the *Ars Rhetorica ad Alexandrum*, attributed by most scholars of the present day in accordance with the views of Victorius and Spengel to Anaximenes; this treatise from its supposed connection with Aristotle has fortunately escaped the fate of oblivion, and is still available as an admirable book of reference.²⁾ — Such was the skill, with which the ancient orators handled and applied the doctrines, as laid down in these theoretical works, that doubt might almost arise, whether these precepts had been gathered from practical oratory, or rather the mode of expression had been adapted to the rules as already developed. — Like all the other arts, cultivated by the Greeks, Rhetoric also found its way to Rome; at an earlier date it had already begun to flourish in Magna Graecia and Sicily, and now teachers of rhetoric in both the Latin and Greek tongues abounded in the Roman capital, the latter especially enjoying a high reputation. —

Let us now turn to the author, whose productions we intend to investigate. It would be natural indeed to argue from the character of his writings, that Sallust had thoroughly devoted himself in youth to the study of literature and the branches related to it, prominent among which was at that time the discipline of rhetoric, we have however his own direct evidence as to his pursuits mentioned in the Conspiracy of Catiline, 4, 2 „sed a quo incepto studioque me ambitio mala detinuerat, eodem regressus statui, res gestas populi Romani perscribere.“ We may even venture to specify that Sallust was undoubtedly acquainted in addition

¹⁾ vid. Linder, *De rerum dispositione apud Antiphontem et Andocidem, oratores Atticos* (Dissertt. philos. Lundenses, Vol. 14) p. 6.

²⁾ vid. L. Spengel, *Ueber das Studium der Rhetorik bei den Alten*, München, p. 8 et 9.

to the Greek treatises with the writings of Cicero and Cornificius (whom I am ready to accept on the authority of Kayser as author of the books addressed to Herennius) on rhetorical matters; for Cicero's treatise on *Invention* was probably written 86 B. C. (vide *de Oratore*, I. 5; *de Officiis*, II. 87) and the work dedicated to Herennius shortly after (vide Kayser's Preface to Cornificius, p. XI.), whilst Sallust's *Catiline* was composed shortly after Caesar's death in the year 43 or 42 B. C. And yet this latter production, although written at a time when Sallust had attained to manhood and was conversant with the theory of literary composition, is somewhat less polished and smooth in the application of these principles than his last work, the *Histories*; the former composition moreover was undertaken at a time which was separated from the date of the events it recorded by so slight an interval that the writer could not venture even for the sake of artistic unity to deviate from the actual sequence of events and the peculiarities of individuals, although he would not hesitate in modifying the narrative by his language with all its forcible or delicate shades of meaning. — It is my intention in the course of the following pages to explain and indicate in several orations, contained in the writings of Sallust, the application of certain leading rhetorical principles, as laid down by the old writers on the subject; I have chosen for the purpose the oration of Caesar in the *Catiline*, of Marius in the *Jugurtha*, and of Philippus in the *Histories*. —

The oration which Sallust has commemorated in the 51. chapter of his *Catiline*, was delivered by Caesar at that meeting of the senate, in which the question of the punishment that was to be meted out to the confederates of Catiline was discussed. Close observation of the tendency of this speech

will disclose the fact, that it must be classed with those orations that are known as deliberative,¹⁾ since Caesar in urging and favoring one mode of retribution, uses all means for exciting distrust and dissatisfaction against the propositions of his adversaries. — It may not be out of place however, before we analyze and discuss the composition of the oration, to refer to an odd conjecture advanced by a French scholar, Mérimée, in his *'Etudes sur l'Histoire Romaine*, II., p. 240. He endeavors to promulgate the theory that the speech, as recorded by Sallust, is simply a literal rendition of the oratorical effort of Caesar on that occasion. To establish this theory he resorts to various methods of proof, the majority of which are of minor importance. Two of his arguments are however worthy of discussion; in the first place he refers to the statement of Plutarch in the *Cato Minor*, chap. 23 (compare also Cicero pro Sulla, chap. 14) that Cicero had ordered careful notes to be taken of all the speeches, delivered during the trial of the conspirators, and then in a kind of general statement asserts that the style of this oration is decidedly at variance with that, that is apparent in the rest of Sallust's writings. In the latter respect he is certainly at fault, for Dietsch, a German scholar thoroughly conversant with Sallust's peculiarities of style, says²⁾ that the conciseness of expression, the gravity of language, the development of the oration in the shape of short phrases rather than by means of well-rounded periods, and the frequently abrupt connection of ideas portray the individuality of Sallust rather than that of Caesar. — Turning to the first argument, which is based upon the assumption that Sallust

¹⁾ Cornificius, chap. I., §. 2 says: (genus) deliberativum est, quod habet in se suasionem et dissuasionem.

²⁾ In his edition of Sallust, published 1846, page 241. —

gathered his knowledge of the speech from the verbatim report, which it was most convenient to him to insert entirely into his work, we find the distinct intimation in the language of the historian (Catil. ch. 50, §. 5 *hujusmodi verbis*) that he aims only at a general reproduction of the ideas of Caesar; for although Sallust endeavored especially in his later writings to follow with all possible accuracy the existing records of facts, he was by no means a slavish adherent to words, when they would be likely to interfere with the design of his work; this accounts for the absolute discrepancy between the oration of Cato, as framed by Sallust in his Catiline, chap. 52, and the contents of the veritable harangue, extracts from which are given in Cicero's Letters to Atticus, Book 12, epistle 21 (compare Teuffel, *De Sallustio et Tacito*, Tübingen, page 19). Mérimée, page 270 fails ignominiously in endeavoring to prove the identity of Cato's oration in the Catiline with the original speech. Sallust, like all historians of antiquity, finds it more convenient to illustrate men's thoughts and determinations by orations such as the above — mentioned ones, than by a wearisome critical narrative. Thus Thucydides, Book I., ch. 22, states, that he introduces his characters speaking *ὥς ἂν ἐδόκουν ἐμοὶ ἕκαστοι περὶ τῶν αἰὲ παρόντων τὰ δέοντα μάλιστα εἰπεῖν*, „as it appeared to me that each one would especially say that which was befitting to his disposition concerning the questions of the day.“

A very interesting illustration of the system, pursued by the ancient writers in the use of public documents, is afforded by a comparison of the contents of a bronze tablet, found at Lyons, and containing a speech of the emperor Claudius, with a version of the same oration as given by Tacitus in the 12. book of the Annals, chap. 24. The emperor advocates in the oration, as handed down by the inscription, the extension of the rights of citizenship to the inhabitants of

Gallia Comata; his arguments are extremely characteristic of the man, they show no apparent connection with the topic at issue, he wanders off into antiquarian researches about the inhabitants; in fact, the whole speech corroborates to the fullest extent the traditions of the emperor's eccentricities. Tacitus however avails himself of none of these opportunities for the delineation of character, in which he otherwise delights, since he has already given in the opening chapters of the same book a description of Claudius' manners;¹⁾ that he was acquainted with the document is certain beyond a doubt, not only from his rendition of the contents, but from the general accuracy of Tacitus in investigating every official statement he could find, and copies of this important speech must certainly have existed at Rome also, although the matter under discussion was only of particular moment to the inhabitants of that one province (vide Alphonse de Boissieu, *Inscriptions antiques de Lyons*, chap. IV.). From this document therefore and the application of its sentiments we can judge that even the most accurate of ancient historians did not hesitate to forego the verbal tradition of certain orations, when the arrangement of his work required it. — To return however to the oration of Caesar. All orators must aim according to the rhetoricians (Quintilian, III., 5, 2; Cicero, *de optumo genere oratorum*, §. 4) at the attainment of one of three ends; they must endeavor to instruct (*docere*), to move the emotions (*movere*), or to edify (*delectare*). In the oration which we have under consideration, the author strives to attain the first two results, for, whilst he explains and elucidates the states of affairs, he endeavors at the same time to win

¹⁾ Such description is technically known as *notatio* (Cornific. IV., 63); the Greek rhetoricians call it *ῥητορικὰ* (Hermogenes, I., 44 in Walz's edition of the *Rhetores Graeci*).

his hearers over to his cause. — I have already remarked, that this oration is to be classified among those of the deliberative kind; of this class however two modifications exist (Cornificius, III., 2; Cicero, De Inventione, I., 17), according as it may be the tendency of the speech to advise which of two alternative courses deserves to be adopted, or which course in preference to all others should be pursued. To the former of these two modifications the oration under discussion must not be referred, but rather to the latter, since any one of the various methods of punishment that would be appropriate to such criminality is to be selected. — A plea, such as this oration evidently is, should be framed with a certain consideration to its utility; this feature may be introduced in such manner, that only the advisability of a measure is urged, or the additional motive of dignity and honor may be added (Corn. III., 3; Cic. de Invent. II., 157); thus Caesar after having allayed the fears of the senate by the assurance that his proposed measures are conducive of safety (§. 19 of the oration), exhorts to particular care, lest the reputation and honor of the governing powers be tarnished by the stain that any rash deed might produce. According to Cornificius every discussion that introduces the dignity of a proceeding as one of the elements, may dwell either upon the absolute rectitude or on the relative meritoriousness of a deed; in the oration before us the latter point¹⁾ is only casually urged in §. 7 „neu magis irae vestrae quam famae consulatis;“ in all the other arguments the criterion of that, which is absolutely rectum²⁾ is applied. Various phases of the rectum are mentioned by the

¹⁾ Cornific. III., 7: laudabile est, quod conficit honestam et praesentem et consequentem commemorationem. —

²⁾ Cornific. III., 3; Cicero, Inv. II. 159 designates the rectum of Cornificius by the name of simplex honestas.

rhetoricians, out of which Sallust introduces prudence (compare Cornif. III., 4; Cicero, Invent. II., 160) in all those passages, in which he warns against a loss of temperate and worthy demeanor, as in §§. 1, 2, 3, 7, 13, 14, 26, 27, as one of the requisites of a correct course; and fully aware of their value and general effect, he introduces proofs to confirm his assertions (in §§. 4, 5, 6; compare Corn. III., 4: „qua in re facile id, quod velimus, exemplo allato persuadere possimus.“ — With somewhat less completeness, but with at least the same impressiveness, he enhances the value of his propositions by proving their justice, and in his demand, as expressed in §. 7 „hoc item vobis providendum esse quam majoribus“ we have a clear concordance with the views of Cornificius, who holds that the pleader will exert a strong influence „si leges et mores civitatis egregie dicemus oportere servari.“ Caesar, in exhorting his hearers to cherish and augment these precious traits, adds to their attractiveness by the glowing colors of his description. — The general tendency of this oration has thus been set forth; we can therefore attempt a closer analysis of its composition. The ancients distinguished six various divisions of an oration, in each of which the skill of its author might be manifest (compare Cicero, de Oratore, II., 80; Cornif. I., 4), the *exordium*, *narratio*, *divisio*, *confirmatio*, *confutatio*, and *conclusio*. Of these parts Quintilian, III., 9, 1 omits the *divisio*, others embrace the *confirmatio* and *confutatio* in the one name „argumentatio“. — By means of the *exordium* or introduction the minds of the hearers are to be interested in the topic, so that they will follow the development with interest. The style of this *exordium* must be varied, according as the oration differs in its essential characteristics. The motives of this oration and the objects aimed at are such, that it must be classified under the *genus dubium*, which Cicero, Invent. I., 20

defines as being applicable, if the possibility of judicial discrimination be doubtful, or the cause partake both of an honorable and a base phase, so that it may arouse both good feeling and give offence; in addition to this clear correspondence with the requirements of the definition, the introductory words (*de rebus dubiis*) put an end to all doubts. — To make his hearers kindly disposed, should be the first duty of the speaker. For this purpose the advantages of his own view of the case must be set forth by the speaker, whilst all possible odium must be attached to the cause of his adversaries, their arguments invalidated, their opinions stroghly impugned. Nor can the speaker at times omit, in expatiating upon his own views, to flatter his hearers by some remarks on their good qualities and their powers of discernment. Thus Catiline in the famous oration in chap. 20 sums up in few but appropriate terms his appreciation of the merits of his followers „*virtus fidesque vostra spectata, — neque per ignaviam aut vana ingenia — multis et magnis tempestatibus vos cognovi fortis fidosque mihi,*“ then gratifies their tastes by calling the conspiracy „*maximum atque pulcherrimum facinus*“, and adds to their conviction of their own importance by asserting the identity of his own interests and grievances with theirs (§. 4 of this oration). — The exordium in Caesar's oration begins with a general statement „*omnis homines, qui de rebus dubiis consultant, ab odio amicitia ira atque misericordia vacuos esse decet*“, which is very well adapted to the following discussion, forming as it does the basis of the succeeding arguments (compare Cornif. I., 11; Cic., Inv. I., 26). The general observation thus laid down is enlarged upon in the next sentence „*haud facile — paruit*“, whose latter half contains an observation, culled from a recognition of the facts in the first clause. The mode of reasoning in this sentence is as follows: „whoever follows the promptings

of his desires, will not recognize truth, for no one who has become slave to his passions, can in all cases attain that which is honorable. The words of §. 3 (I designate the paragraphs by Jacobs' edition) contain a vivid contrast of the two alternatives, which were first presented in the terms „lubidini et usui“, and the speaker thus points out clearly that there can exist no room for some intermediate field of action, in which the two extremes could be reconciled. In corroboration of these assertions the speaker now presents reminiscences from history, which he has however selected with such skill, that the pride of his auditors is involuntarily flattered by them; for in omitting the mention of those occurrences that show the results of human depravity, and holding up as worthy of imitation the praiseworthy abstinence of their own ancestors from such vices, he has secured the firmest hold upon their good feelings, since the Romans more than any other people were firm believers in the potency of precedents. These considerations form the contents of §§. 5 and 6; in §. 7 he then urges upon the senators the propriety of imitating the example of their ancestors, and after having made this appeal as impressive as possible, he unfolds at length his own opinion of the proper punishment, that the conspirators should receive. — If we now cast a retrospective glance upon the introduction, which embraces the first seven paragraphs of the oration, its moderate length accords with the theories of the rhetoricians on this point (Corn. I., 11 „vitiosum est exordium, quod nimis longum est;“ Cic., Inv. I. 26 thus defines the bearing of the term „longum“: „quod pluribus verbis aut sententiis ultra quam satis est, producitur“); in fact, the orator has employed only very circumscribed limits for the exposition of a leading point in his arguments. As regards the language of this exordium, it wants neither simplicity nor ease (Cornific., I., 11); that

general statement is introduced which is peculiarly adapted to the actual situation, and which does not possess the evil qualification of being equally applicable to any other oration, or of being readily perverted or even identically employed by the opponents (such faults are respectively termed *vulgare*, *commune*, *commutabile*; see Quintilian, IV., 1. 71; Cic., *Invent.* I., 26; Cicero's *Brutus*, §. 209). — A closer examination of the periods in this introduction shows, that they are neither too artificially constructed, that is, in too involved style, nor are they too long; an excess in the latter respect would be entirely out of place in an oration of the genus *deliberativum*, and could be tolerated only in one, devoted purely to forensic pleading (compare Quintilian, IX. 4, 128; Oetling in his essay on Cicero's oration *pro Caelio*, Göttingen, p. 26). Each of the paragraphs 1 to 3 constitutes in itself a period of thought, expressed however in each case differently, and yet only modified in such manner, as to make the change appear free from startling transitions (Cicero, *de Oratore*, II. 177); the gradation thus carefully prepared brings us finally to the shortest possible form of a sentence in the term „*valet*“, and yet notwithstanding its apparent bareness, the brevity of the expression is perfectly appropriate. — Another method of bringing out contrasts into strong relief lies in a similar sequence of expression; thus in §. 4 the contrasting thoughts are uttered in responsive combinations of words; to the words „*reges atque populi (sc. alieni)*“ the succeeding ones „*maiores nostri*“ answer, furthermore „*ira aut misericordia impulsi*“ and „*contra lubidinem animi sui*“ correspond, likewise „*male consuluerint*“ and „*recte atque ordine fecere*“. The responsive character of the phrases in this paragraph would be still more complete, if in its initial part the reading of the Vatican and other manuscripts „*quae*“ would be substituted for „*qui*“, as given

by the celebrated Parisian manuscript; for we would then have a decisive similarity of phraseology between the terms, „*memorandi quae reges*“ and „*ea malo dicere, quae majores nostri*“. — It may be worthy of our attention to note the application of various kinds of rhetorical ornamentation. The four phrases that constitute paragraph 1 Sallust has arranged in such manner, that the first pair which is contrasted, is without any connecting particle, i. e. *ἀσυνδέτως*, the second pair is linked together by the conjunction „*atque*“ (in §. 4, in which the statements are not to be connected comprehensively, the particle *aut* is employed); Jacobs in his edition of Sallust, page 20 has recorded numerous examples of this style of transition in the construction. — Quite analogous to the use of *atque* in this connection is that of „*simul — et*“, a combination, for which Sallust seems to possess a great predilection; thus it occurs in his *Catiline*, ch. 43. 2; in the *Jugurtha*, ch. 20. 1; 25. 5; 84. 5. Even „*simul — ac*“, which most authors consider one expression in the sense of „*as soon as*“, is used in the same manner as „*simul — et*“ in the *Catiline*, chap. 28, §. 4 „*egestate simul ac dolore*“. — A certain degree of liveliness is imparted to the language in this portion of the introduction by the sudden transition in the tenses of the verbs; from the form of the present tense in „*providet*“ which is usual in such sentences that embody a general statement, the writer passes at once to the perfect in „*paruit*“, which corresponds in its meaning to the gnomic aorist of the Greeks, for this too introduces some general observation; cf. §. 11 of this oration, also *Catiline*, chap. 10, 4; 11, 3. A slight tinge of difference of course exists between the present and this kind of perfect tense, so slight however as to make the two forms almost identical in meaning. A similar variation in form exists in §. 3 in the verbs *intenderis* and *valet*, the former of which suggests

an action which must be completed, before the condition, implied in the second verb, can arise; the use of the present tense in *possidet* is based upon the fact that this verb expresses a passive state rather than an action. — The entire sentence „ubi intenderis ingenium, valet; si lubido possidet, nihil valet“ reveals in its composition that figure of speech, which the Greeks call *ἀντίθετον* (compare Herodian, VIII., pag. 602, ed. Walz); Cornificius, IV., 21 calls it *contentio*, Quintilian, IX., 3, 81 names it *contrapositum*, neither one of them however defines the technical term accurately, but simply illustrates its application; also Cicero's *Orator*, §§. 65 and 135 and his *Partitiones Oratoriae*, 21 may be compared. — A certain degree of correspondence is furthermore indicated by the equality in the number of adjectives employed in the expressions „magna atque magnifica“ and „infida atque advorsa“. Other antitheses are found in §§. 6 and 7 „quom saepe Carthaginenses — fecissent, nunquam ipsi talia fecere“; „magis quid se dignum foret, quam quid in illos jure fieri posset“; „P. Lentuli et ceterorum scelus quam vostra dignitas“; „neu magis irae vestrae quam famae consulatis“.

The *exordium* is generally followed by the *narratio*, which is defined as an exposition of the events bearing upon the proceedings (compare Cornif. I. 4 and 12 etc.; Cic. *Inv.* I. 27 etc.); this portion of the oration is however by no means absolutely necessary at all times; thus in an oration of the deliberative kind it is entirely at the option of the orator to introduce the exposition or not (Cornif. III. 7 says „si cuius rei narratio incidet, eadem ratione [sc. qua tractatur in causa judiciali] narrari oportebit“; and Cicero, *Partitiones Oratoriae* 13 „nec multum sane saepe narrandum est, est enim narratio aut praeteritarum rerum aut praesentium, suasio autem futurarum“). — The oration we are now considering also lacks any narrative, which would be entirely

unnecessary, as the facts of the case were thoroughly known to all, and could neither be placed in a more advantageous light nor deteriorated by any coloring in the narrative. — The *divisio* which the rhetoricians enumerate next, consists of two parts (Cornif. I., 17; Cic. Inv. I., 31; Quintilian VII., 1, 5 etc.; Victorinus Commentary on Cicero's *Rhetorica*, chap. 22, as given in Halm's edition of the *Rhetores*, page 209), the first of which shows the points of concordance and of disagreement in the views of the contesting parties, the latter embraces those portions of the argument, known as the *enumeratio* and *expositio*. In the oration under consideration the *divisio* (which corresponds to the *πρόθεσις* of Aristotle, *Rhetor.* III., 13) is not introduced in one special part of the oration, but traces of it are already apparent throughout the entire introduction; so thoroughly does the object of the speech absorb the attention of the speaker, that its influence is felt in the entire coloring of the argument. — We now arrive at the *argumentatio*, which from the nature of the argument is of particular moment here. Were this oration a forensic effort, it would be necessary to determine in this instance at first the *constitutio causae*, which according to Cic. *Invent.* I., 10 is „*primo deprecatio defensoris cum accusatoris insimulatione*“; its nature and application are discussed by Cornificius, I., 18, 19, 24; Cicero, *Partit. Orator.* 33; *Topica*, 92; Hermogenes *περὶ στάσεων*, 12. 3; 48. 5. In our oration such accurate determination is unnecessary. — The historian first frames in §. 8 in the shape of a conclusion the general sentiment, to which his preceding remarks have tended, and gives the points of variance of the two senatorial factions. He unfolds in §. 9 the mode of reasoning, adopted by the opposite party, but even in narrating them, he succeeds in casting reprobation upon their motives and intentions. A strong reproach is embodied in the statement, that when

the urgency of the times calls for bold resolves, they waste the given opportunities in feminine laments on the corruption in the republic, and a further sting is added to this reproof by the characterization of these wails in the terms „composite atque magnifice“. In fact the entire theory of his opponents is stated in such pompous style, that his plan of inciting ridicule against them is manifest. This dignity and gravity is brought about by combining the clauses in pairs in such manner that the terms are grouped in each statement in similar sequence; thus there is correspondence between the phrases „*quae belli saevitia esset*“ and „*quae victis acciderent*“; „*rapi virgines pueros*“ and „*divelli liberos*“; the application furthermore of the figure of a *syndeton* adds considerably to this feature of solemnity. — In §. 10 we have the refutation, introduced by the particle *sed*; an earnest appeal to the gods arouses anew the feeling of earnest attention, which the occasion demands, and which has been rendered somewhat indistinct by the vein of satire, that pervaded the immediately preceding passage. The plans and counsels of his adversaries are shown by the speaker to be perverse; starting from an analysis of the peculiarity of human nature, which cannot be rejected, viz: that it is never prone to underrate the value and severity of mishaps, he proceeds to warn the senators from permitting themselves to become in recollection of the designs of the conspirators callous toward them; for such a failing, while comparatively pardonable among those, whose station in life is humble and whose sphere of action is therefore limited, becomes a grievous offence in men, whose position in the community is a highly responsible one, and whose example is readily employed as precedent. Certain general statements (*rationes communes*) are made, conveying the idea that all mental excitement and hastiness of judgment must be avoided by those in supreme power, and are then

substantiated by arguments. In §. 15 the orator shows that his opinion of the criminality of the conspirators coincides with the views, but the suggestions of prudence deter him from the extreme severity, of his opponents. The next paragraphs, although in their wording at first complimentary to the leader of the opposing party, Silanus, and laudatory of his motives, convey a strong rebuke of his proposition, which implies a desperate condition of affairs in the community in the severity of its features. Another and very judicious mode of refuting the opposing arguments is the introduction and expansion of the idea, that capital punishment, far from being the dread of criminals, in truth relieves them from a wretched life of misery and cares; at the same time he banishes every suspicion of his former complicity or sympathy with the conspirators by his strong invectives against them, as in §. 25 „in parricidas reipublicae“, in §. 23 „quid autem acerbum aut nimis grave est in homines tanti facinoris convictos“; E. Hagen in his „Untersuchungen über römische Geschichte, I., p. 312“ recognizes, without any necessity however according to my opinion, in this opposition to the capital punishment a spirit of bravado on the part of Caesar, who thus intimates that, though suspected of some connection with Catiline's friends, he would not attempt to purge himself by renouncing his own convictions and agreeing to the mode of penalty, desired by the majority. — The orator shrewdly clothes his desires and plans in such a way, that he seems actuated to his course only by concern for the fair fame of the senate; with the air of a prophet he asks them to desist from the first intrusion on the laws, for even though the deviation in the present case were not so thoroughly criminal, yet the example thus set might prove a dangerous argument in the hands of the unprincipled; and whilst deprecating the very thought, that any of those who were just now

clothed in power, were capable of such perversion of right, he still indicates the justice of his apprehensions by the allusion to several occurrences in Greek and Roman political history. — Another reliable hold upon the attention of his hearers the speaker finds in the great esteem, which the usages of their forefathers had with the Romans; for these, when certain magistrates made too injudicious a use of capital punishment, which had been recently introduced from Greece, decreed that banishment might be substituted for it. A similar modification he desires to introduce in the case of the present offenders, although his position forbids him from representing it as more lenient than the death — penalty. Finally he presents in §. 43 a question that some one of his auditors might feel himself justified in asking, and by properly answering this, he paves the way to a short summing up of the argument, which constitutes them the conclusio of the oration. — Turning from this general analysis, we may now search in detail for the degree of concordance in the author's composition of the argumentatio with the principles of the rhetoricians. Cornificius, II., 28, also Cicero, Invent. I., 57 etc., and Quintilian, V., 14 consider that argumentatio most perfect which embraces the five following parts „propositio, ratio, rationis conformatio, exornatio, complexio“. The propositio, for which also the name „expositio“ is frequently substituted (cf. Cicero, Invent. I., 58 and 59; Kayser's note to Cornificius, II., 56), states as summarily as possible, what the speaker intends to prove. It is represented in this oration by the words of §. 8: „nam si digna poena pro factis eorum reperitur, novum consilium adprobo: sin magnitudo sceleris omnium ingenia exuperat, eis utendum censeo, quae legibus comparata sunt“, and all further arguments are intended to strengthen this statement. — In expressing this propositio, none of those faults have been allowed to intrude, against

which the teachers of rhetoric warn, such as the drawing of false conclusions from the peculiarities of single parts regarding qualities of the whole, or the omission of single data in the course of an enumeration, or the introduction of some foreign point. — The entire passage that enlarges on the complaints of his adversaries from §. 9 to the end of §. 12 is employed as a means of introducing the ratio („ratio est, quae causam demonstrat veram esse, quam intendimus, brevi subjectione“, Cornif. II., 28), which is framed in the words „qui magno imperio praediti in excelso aetatem agunt, eorum facta cuncti mortales novere“. — Although this ratio is much more lengthy than strict accordance with the doctrines of the rhetoricians sanctions, nevertheless its length is rendered less obnoxious, if we consider its importance in connection with the propositio for the entire argument. — The „confirmatio rationis“ which now follows is to confirm by various arguments the previously developed ratio. It opens with an admonition to avoid the results of a false system of reasoning, such as the opposing party is represented as having been guided by; the language employed is sufficiently clear „sed plerique mortales postrema meminere, et in hominibus impiis scelerum eorum obliti de poena disserunt, si ea paulo saevior fuit“. He delates upon the gross injustice which is likely to arise from acquiescence in an opinion, that is tarnished by vindictiveness and hatred, and therefore in reality violates the spirit of the judicial sentence. — His final argument, based upon the propriety of imitating the judicious resolves of their ancestors, is of particular weight at this time, when internal dissensions, confusing and obscuring the purer motives of men, demand rather a moderate application of existing penalties than the innovations, proposed by the opposing faction (§§. 41 and 42). — That element also of an excellent argumentatio, known as the

exornatio, and used for the purpose of adorning and completing the plea after the necessary reasoning has been brought forward, is also apparent in various portions of the oration. Thus the sentiment, expressed in §. 20 concerning capital punishment, though it constitutes a portion of the syllogism, serves by its philosophical turn to ornament and elevate the tone of discourse; a further contribution of this kind exists in the illustrations, cited in §§. 28 to 35 to demonstrate the danger of innovations upon existing laws, and in those mentioned as evidences of the disinclination of the ancestors to tolerate new and unsatisfactory practices. A certain air of cheerfulness pervades these remarks, that is appropriate to the purpose, with which they are conceived. — Of the five subdivisions, mentioned above, the complexio alone is wanting in this oration, in other words, that part which once more collects the phases of the argumentatio, and in grouping them, closes up the oration; Cornificius however himself admits (II., 30) that in a short and clearly arranged oration this part may be omitted. — A few peculiarities, that are worthy of mention, still remain; thus the suddenness, with which the orator addresses Silanus in §. 18, a procedure that is not unusual in forensic harangue, and that never fails to intensify the interest of the hearers in the matter under discussion. The series of questions in §§. 21—25 imparts additional life to the subject by its oddity; the replies, which the opponents might possibly give as excuses for their plans, are straightway themselves clothed in the shape of questions, to which the speaker then replies in the most decisive terms (as in the words „an quia lex Porcia vetat, etc.“). — A general retrospective view will show us, that the arguments employed and developed were in all cases appropriate, that the necessary illustrations were added, wherever they contributed to impart strength to reasoning, and that as much of rhetorical

ornamentation, as such orations can bear, has been employed. We cannot fail however to notice the pleasure that Sallust takes in general philosophic reflections, which, agreeable as they are in the course of historical narrative, where the mind finds in them a delightful opportunity for temporary rest of the imaginative faculties, are less suited to the continuous flow of an address; and in this particular feature the genius of Sallust asserts itself without regard for the propriety of such an insertion under the given circumstances.

An examination of the various orations, as commemorated in the *Bellum Jugurthinum*, proved to me that for the purposes of the present investigation the address of Adherbal (chap. 14) is but ill-suited; for though the disposition of the arguments is by no means a poor one, yet the train of thought is extremely limited. Cowed down by timidity and an ignoble soul, Adherbal feels that his appeals for consideration must be based merely on the merits of his ancestors, and not on his own qualifications. His inconstant mind is manifest in the rapid transitions, in which he at times commiserates the untimely death of his brother, and then again envies him his speedier deliverance from the bonds of human woe; in these strongly marked characteristics the historian endeavored to depict an existence, devoid of all manliness, incompetent of resolves, and therefore buffeted about at the mercy of others. We cannot fail at the same time to recognize in the portrayal of Jugurtha, the inferior of Adherbal in the advantages of birth, his immense intellectual superiority over the effeminate lawful heir to the throne, and can scarcely feel sympathy with the misfortunes of the latter. —

Out of the number of orations, that still remain in the *Jugurtha*, I have selected for discussion that one, which Marius delivered before the Roman people, since it affords

us an excellent picture of the dissensions in those days between the nobility and the lower orders. It was Marius' aim to work by means of this oration on the populace in such a way, as to incite them to active participation in his expedition against Jugurtha, and to gain favor for himself by exposing the intrigues of the aristocratic party. The speech belongs therefore to the genus *demonstrativum*; it may be advisable to treat it thus, that we enumerate the various sub-divisions, and then observe, to what extent they are in harmony with the laws of the rhetoricians. — In the prooemium the speaker inveighs against those who in their endeavors to find favor with the populace assume the semblance of qualities, which they speedily drop, after their object has been attained; he asserts and proves the difference of his tendencies from those of such dissemblers; and indicates what he considers fit by expatiating upon the faults and weaknesses of his adversaries (*Cornific. III., 11* „in hujus modi causa principium sumetur a nostra persona ... si vituperabimus: quod placeat ostendi, quid nobis displiceat, ex aliorum vituperatione“). — He then points out the difficulties of the position, conferred on him by the popular voice, which are augmented by the necessity of reconciling things and wishes, utterly at variance with each other (§. 3), and that too, when he can depend for the success of his agitations, not upon the fame of his ancestry, but simply upon the weight of his own qualifications. This explicit account of his deeds forms the *narratio*, and serves to increase his own glory and to excite feelings of contempt against his opponents (compare *Corn. III., 13; I., 12—16*). The narrative is introduced here for two reasons, first for the sake of *fides*, i. e. of establishing the good will of virtuous citizens in his favor (*Corn. I., 12*), then too for the sake of a transition, for after stating in these paragraphs in a general manner, that his endeavors have met with the approbation of excellent men, he pro-

ceeds to explain and justify his system of action in life. With §. 7 he begins to compare his own merits with the absence of them in his adversaries, and mentions casually the principles of his actions, as in §. 8 „quae ante vostra beneficia gratuito faciebam“ etc. After this comparison of his own theory of life (which corresponds to the precepts for the *comparatio*, as laid down by Cornific. III., 13: „exponemus, quas res laudaturi simus aut vituperaturi“) with the turn of mind and habits of the nobility, the orator in place of relating events in historical order „deinde ut quaeque quove tempore res erit gesta, ordine dicemus“ (Corn. III., 13) discusses the most recent development, and institutes from this as a starting point a comparison of former occurrences; this too is sanctioned by the statement of Cornific. III., 15 „non necesse est, nos omnis has partes in laudem aut in vituperationem transferre“. He next attacks the nobility for their ill-concealed animosity at his elevation to command in numidia, and depicts with apparent gratification the advantages, of which these unworthy descendants of a noble ancestry are proud, their old stock and their ancient lineage (*vetus prosapia*, *multae imagines*), advantages that are of course purely accidental, with which he contrasts their total lack of individual merit, and their inefficiency for such a responsible position as his own through their lack of military experience. — A few grammatical points require in this connection some explanation, and we must therefore pause in the rhetorical analysis. — Jacobs in the Weidmann edition of Sallust, page 179 supposes that a certain degree of irony is intended by the use of the obsolete term „*prosapia*“; that it was antiquated at this time, is evinced by the language of Cicero, *Timaeus*, sive *de universo fragm.* §. 11 „et eorum, ut utamur veteri verbo, *prosapiam*“; Quintilian, I., 6, 40 and VIII., 3, 26 considers the application of the word as something unrefined „*insulsum*“, whilst it is of frequent occurrence in Plautus and Cato. As Sallust

however strives everywhere to impart a venerable flavor to his diction by the use of expressions, that were peculiar to a previous age of Latinity, I can hardly recognize the necessity of Jacobs' assumption. — In the same phrase of paragraph 10 we find the words „nullius stipendi“, which form the very strongest contrast to the preceding words, joined to these by the particle *et*, which therefore partakes in this case of oppositional force (a similar use of the particle *que* may be observed in the *Catiline*, chap. 48, §. 4 and 50, §. 4). The manuscripts unite in giving this particle *et* at this point; the grammarian, Priscian, II. pages 221 and 360, in recording this passage, uses in place of *et* the particle *ac*, which is utterly inappropriate on account of the preceding *ac*, as the two combined would destroy the intended contrast; the reading of Priscian can of course have no value on this point, as he mentions the passage to illustrate an entirely different matter, that peculiar use of the genitive in place of the ablative, an imitation of a Greek construction, by which the object of possession or result of an action is put in the genitive; and moreover, quot probably from memory, he has omitted in his citation the „*ac*“ before „*multarum imaginum*“. — Returning to our analysis, we find an admirable delineation of the paltry spirit of these noblemen, who are the objects of his attacks in the words „*trepidet festinet, sumat*“; the abrupt style of the expression imparts the idea of uneasiness to the passage. The simple narrative, which shows forth the hesitation of the other commanders, forms a bitter criticism of their actions, whilst he gives a clear picture of his own views on the administration of such authority, and of his practical endeavors to carry out these theories. A comparison, that he institutes, reveals the fact that he can be reproached merely for the humility of his origin, the indolent nobility however for their transgressions and crimes; nor does he pride himself in a spirit of offensive arrogance on his lowly parentage,

for he asserts that individual excellence elevates or degrades a man. The sum and substance of the whole argument is really expressed in §. 14: „contemnunt novitatem meam, ego illorum ignaviam; mihi fortuna, illis probra objectantur“. The phraseology in this sentence is very marked, for in the first section of it the pronouns and substantives form the figure, known as Chiasmus; in the latter half they are contrasted by anaphora. — In the following passages from §. 16 onward, he finds reason to attack his opponents, because, being of good parentage, their incapacity makes them a disgrace to their ancestry, who relied upon their virtues for their elevation (§§. 21—23); then too, because they presume to lay claims to such positions, as should only be awarded to the good, they whose life is devoted to revelry and the gratification of their lusts (§§. 19, 20). After this discussion of the advantages of pedigree (genus), he turns to the educatio, which makes itself felt in the facility of speech, possessed by the nobility. His own inefficiency in this respect he deems of little importance, since he requires, as he says, no devices of oratory to serve as mantle for his evil actions, or as means of bringing into prominence his good deeds; nor can his opponents with all their command of eloquence succeed in defaming his acts. Merely as a justification for the populace, whose confidence in him had been made the subject of violent attacks, he intends to prove by a description of his life, that he is worthy of the trust reposed in him. His ignorance of the Greek language and literature he represents as an advantage, since it prevented him from adapting Greek vices; his pride is centred on his acquirements of those branches of knowledge, that are of particular avail to the commonwealth (§. 34), and his appreciation of the merits of his soldiery in contradistinction to the want of regard, displayed by the indolent nobility for their subordinates in the field. — In §. 37 the speaker in contrast to the effrontery of the ari-

stocracy, who claim all privileges and immunities without any equivalent assumption of responsibilities, lauds the efforts of men of his own stamp to be „aemuli majorum“, the rivals of the elder generations in thoroughness; the nobles on the other hand have obtained by inheritance all advantages but one, and that they make no efforts to obtain, namely Virtue. — The charge of avarice had been brought against him, for he had no desire for great banquets and drinking bouts; he confesses in §. 39 that he is averse to such scenes, that breathe nothing of the ancient simplicity of Rome, and is willing to resign his share of these enjoyments to his opponents, if they in return devote their entire energies to such worthy pursuits, and relinquish to more suitable men the earnest vocations of life; and to the accomplishment of this object he strenuously exhorts, urging upon his auditors the necessity of shielding the country from the detriment, that might result from the imprudence of these reckless men. — The conclusion is devoted to a survey of the condition of the state and a stirring appeal to the populace, and therefore must be more lengthy, than the rhetoricians deem correct (Cornific. III., 15). It is an important part of his task to give his hearers the assurance, that with the removal of inefficient leaders the bars to prosperity will rapidly fall, and the valor and experience of the army will not be manifested in vain. A promise of glory, booty and victory constitutes the final and most alluring invitation to join his standards, although it was by no means the point, to which all the efforts of the orator were directed, for Marius had already previously been successful in gaining the favor of the populace, as is evident from the language of chap. 84 „tanta lubido cum Mario eundi plerosque invaserat“, and from the laws of grammatical construction in §. 48 „tamen omnis bonos rei publicae subvenire decebat, where the use of the indicative indicates that the action, implied in the infinitive clause

was actually carried out. Nevertheless the effect of the oration was to increase his success (compare chap. 84, §. 4: „et eos non paulum oratione sua Marius auxerat“. — It is certainly a very ingenious device, that once only in §. 3 (bellum parare, cogere ad militiam eos, quos nolis offendere), in discussing the difficulties of his post, he alludes to the necessary recruiting of the soldiery, before he proceeds in his final summary to demand the assistance of the people and their participation in the conflict. A general glance at the whole oration shows that its object was the justification of the speaker himself, and on the other hand the attack on the nobility, which is carried on in a general manner, since the direct objects of his insinuations were still too powerful to make an open declaration of warfare on his part advisable. Occasionally however certain remarks present a clue to the truth, and therefore to the special objects of his enmity, as in §. 10: „sumat aliquem ex populo monitorem officii sui“, by which words his own former intimacy with Metellus is indicated, likewise in §. 45: „quae ad hoc tempus Jugurtham tutata sunt, omnia removistis, avaritiam, imperitiam atque superbiam“, where the vices just mentioned are characteristics respectively of the former commanders, Bestia, Albinus and Metellus, also in §. 46: „magna pars ejus avaritia aut temeritate ducum attrita est“, and in §. 47: „ex imperatorum superbia“. — Since the tendency of the oration is a twofold one, a demonstrative one and one of exhortation, the form of the development has been considerably modified, and we therefore find deviations from the theories of the rhetorical schools. —

Following out the plan I have adopted, it becomes my duty to treat in similar manner as the previous two an oration, contained in the fragmentary work, known as the *Historiae*; and as the oration of Lepidus, the first in order,

has already been analyzed in the treatise of Fabricius „De M. Lepidi apud C. Sallustium oratione quaestio, Mosquae, 1848“ (who endeavors to deny it the value of a genuine document; recent editors however, such as Kritz, Jordan, Jacobs, justly consider it genuine); I have selected that of L. Marcus Philippus (in the work of Kritz it is the 51. fragment of the 1. book), which in rhetorical merit is at least the equal of the former. Lepidus, who had been sent to Etruria to suppress the revolt there, had collected troops for his private designs, and refused obedience, when the senate demanded his surrender and return to Rome; on the contrary he was desirous of carrying out his nefarious plans, when his impudent demands had been rejected. At this very time, when his advancing army was threatening Rome, this oration roused the senate to a sense of the impending danger, and caused them to declare Lepidus an enemy of the commonwealth. It appears that this speech like that of Caesar in the Catiline, belongs to the genus *deliberativum*; the speaker urges his auditors to attend without further delay to the solution of the matter at issue, and reproaches them for their untimely hesitation. In most simple terms the orator begins, rendering his hearers attentive (Cornific. I., 7; Cicero, Invent, I., 23; Quintil. IV., 1. 33) by a brief exposition of the state of affairs; he then names the three conditions, which he considers necessary for the safety of the republic, viz: that before all, peace must be sought, then at the actual outbreak of sedition, that valiant defenders of the state be found, finally that the guilty receive the due penalty of their crimes. — This introduction in §. 1 is followed by the simplest form of *narratio* that is conceivable; and yet the comparison of the actual appearance of things with what they should be, arranged as they are in antitheses, constitute a strong and urgent chain of argument. In terse language he frames the whole issue, that war is certainly inevitable, and that

it is only questionable, whether the senate would prefer to suffer without resistance all indignities, or would take up arms (§. 2: nisi pacem praestare et bellum pati consilium est). — Then in §. 3 the situation both of the senate and of Lepidus is depicted, and the absence of rapid resolution in the case of the former is reprehended, since it encourages the turbulence of the rebellions — minded in the community. The confirmatio and confutatio occupy the speaker after this. He mentions the excuse of the dilatory and peaceably-inclined senators, only to ridicule it (the covert manner of doing this the Greeks called *μυκτηρισμός*, see Quintilian, VIII., 6, 59), and then to deprive them by a lucid statement of the evil intentions of Lepidus of their retreat; he convinces them of the injury that has already resulted from their long delay (§§. 7 and 8). In mentioning the provinces, that are under the influence of the rebellious movement, he carries out a gradation (the Latin term gradatio has another signification, as in clear from Aquila Romanus, §. 40; [Julii Rufiniani] de Schematis Lexeos, 19: nor does the Greek term *κλίμαξ* correspond [Herodian, VIII., 603, ed. Walz]; Cicero, Partit. Orator. §. 54 circumscribes the figure by the words „ea, quae ascendunt gradatim ab humilioribus verbis ad superiora“), for the most important one, Asia, is mentioned last. — All these points are carefully combined to form an alarming array, nor does the orator fail to summon up the most disastrous possibilities in the words „subvertendum imperium“. He spares no entreaties to prevent such calamitous results, shows that the various weaknesses of Lepidus invite speedy action on their part, and contrasts the energy in good resolves of the old Romans with the lack of moral courage, displayed by the senate, and the barefacedness of the insurgents. The entire exposition shows the utility of rapid resolves, and the safety and honor it is likely to bring to those concerned (in imitation of Cicero, Inv. II., 157 later

rhetoricians have separated the *honestum* from the *utile* in place of making it a subdivision of the latter, as Emporius, *De deliberativa Materia*, p. 571, 13 and Victorinus to Cicero's *Rhetorica*, pag. 162, line 15 in Halm's *Rhetores Latini minores*). In §. 14 the speaker proceeds to another portion of his subject, in which he strives to remove singly the causes of doubt from the minds of his hearers. He proves that Lepidus has violated those very considerations, that he has demanded for himself. In these statements variety in the phraseology is becomingly resorted to in the connection of the contrasted statements („ait sua cuique reddi et aliena tenet; belli jura rescindi, cum ipse armis cogat, civitatem confirmare, quibus ademptam denegat“). Exposing (§. 15) the wicked designs of Lepidus, the orator suddenly breaks out into a direct address to the public enemy (this figure of Apostrophe *Aquila Romanus*, §. 9 calls *aversio*, Martianus Capella, *de Arte Rhetor.* chap. 38 calls it „*conversio in aliquem districta*“; Quintilian, IX., 2, 37 calls it „*aversus sermo, qui mire movet, sive adversarios invadimus, sive at invocationem aliquam convertimur, sive ad invidiosam implorationem*“), accuses him vehemently of dissimulation, want of veracity, and boundless greed. From this digression he returns to his subject, holds up as a warning the atrocities of Cinna, and proposes as the only remedy that they forthwith entrust the administrators of the government with full power to crush Lepidus. This oration, containing as it does all those elements that tend to enhance the value of such a production, is certainly an extremely favorable specimen of that kind of oratory, which, though it seems to be the result of one spontaneous effort, yet shows the excellent influence of rhetorical culture.

